

JUDGE SULLIVAN

Pro Se 15 (Rev. 09/16) Complaint for Violation of Civil Rights (Non-Prisoner)

5
UNITED STATES DISTRICT COURT

for the

Southern District of New York

Case No. **16 CV 9375**
(to be filled in by the Clerk's Office)

Paula Collins

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

John H. Merrill, Secretary of State, Alabama
(See Attached for additional Defendants)

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

Jury Trial: (check one) ☐ Yes ☒ NoFILED
U.S. DISTRICT COURT
SDNY
DEC -5 PM 4:59
S.D. OF N.Y.COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
(Non-Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

DEFENDANTS

(Each Defendant is named in his or her official capacity)

Byron Mallott, Lieutenant Governor, Alaska
Michele Reagan, Secretary of State, Arizona
Mark Martin, Secretary of State, Arkansas
Alex Padilla, Secretary of State, California
Wayne W. Williams, Secretary of State, Colorado
Denise W. Merrill, Secretary of State, Connecticut
Jeffrey W. Bullock, Secretary of State, Delaware
Michael Bennett, Chair, District of Columbia Board of Elections
Ken Detzner, Secretary of State, Florida
Brian P. Kemp, Secretary of State, Georgia
Scott T. Nago, Chief Election Officer, Hawaii
Lawrence Denney, Secretary of State, Idaho
Jesse White, Secretary of State, Illinois
Connie Lawson, Secretary of State, Indiana
Paul D. Pate, Secretary of State, Iowa
Kris W. Kobach, Secretary of State, Kansas
Alison Lundergan Grimes, Secretary of State, Kentucky
Tom Schedler, Secretary of State, Louisiana
Matthew Dunlap, Secretary of State, Maine
John C. Wobensmith, Secretary of State, Maryland
William Francis Galvin, Secretary of the Commonwealth of Massachusetts
Ruth Johnson, Secretary of State, Michigan
Steve Simon, Secretary of State, Minnesota
Delbert Hoseman, Secretary of State, Mississippi
Jason Kander, Secretary of State, Missouri
Linda McCulloch, Secretary of State, Montana
John A. Gale, Secretary of State, Nebraska
Barbara K. Cegavske, Secretary of State, Nevada
William M. Gardner, Secretary of State, New Hampshire
Kim Guadagno, Lieutenant Governor, Department of State, New Jersey
Brad Winter, Secretary of State, New Mexico
Rossana Rosado, Secretary of State, New York
Elaine F. Marshall, Department of the Secretary of State, North Carolina
Al Jaeger, Secretary of State, North Dakota
Jon Husted, Secretary of State, Ohio
Mike Hunter, Secretary of State, Oklahoma
Jeanne P. Atkins, Oregon Secretary of State
Pedro A. Cortés, Secretary of the Commonwealth of Pennsylvania
Nellie M. Gorbea, Secretary of State, Rhode Island
Mark Hammond, Secretary of State, South Carolina
Shantel Krebs, Secretary of State, South Dakota
Tre Hargett, Secretary of State, Tennessee

Carlos Cascos, Secretary of State, Texas
Spencer J. Cox, Lieutenant Governor, Utah
Jim Condos, Secretary of State, Vermont
Kelly Thomasson, Secretary of the Commonwealth of Virginia
Kim Wyman, Secretary of State, Washington
Natalie E. Tennant, Secretary of State, West Virginia
Doug LaFollette, Secretary of State, Wisconsin
Edward Murray, III, Secretary of State, Wyoming
Oliver Potts, Director of The Office of the Federal Register
David Ferreiro, National Archivist

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Paula Collins		
Address	35 Morton Street, Apartment 11		
	New York	NY	10014
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County	New York		
Telephone Number	646-467-4646		
E-Mail Address	paula@pianistpaulacollins.com		

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name	(See attached)		
Job or Title <i>(if known)</i>			
Address			
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County			
Telephone Number			
E-Mail Address <i>(if known)</i>			
<input type="checkbox"/> Individual capacity <input type="checkbox"/> Official capacity			

Defendant No. 2

Name			
Job or Title <i>(if known)</i>			
Address			
	<i>City</i>	<i>State</i>	<i>Zip Code</i>
County			
Telephone Number			
E-Mail Address <i>(if known)</i>			
<input type="checkbox"/> Individual capacity <input type="checkbox"/> Official capacity			

Defendants

(Each Defendant is named in his or her official capacity)

John H. Merrill
Alabama Secretary of State
State Capitol Building, Suite S-105
600 Dexter Avenue
Montgomery, AL 36103-5616
Phone 334-242-7200
FAX 334-242-4993
Email John.Merrill@sos.alabama.gov

Byron Mallott
Lieutenant Governor, State of Alaska, in his capacity with the Alaska Division of Elections
3rd Floor, State Capitol
PO Box 110001
Juneau, AK 99811
Phone 907-465-3522
FAX 907-465-3532
Email Byron.Mallott@alaska.gov

Michele Reagan
Arizona Secretary of State
Office of the Secretary of State
Elections Division
1700 W. Washington Street, Fl 7
Phoenix, AZ 85007-2808
Phone 602-8683
Email <http://www.azsos.gov/contact>

Mark Martin
Arkansas Secretary of State
State Capitol, Suite 256
500 Woodland Avenue
Little Rock, AR 72201
501-682-1010
electionsemail@sos.arkansas.gov

Alex Padilla
California Secretary of State
1500 11th Street
Sacramento, CA 95814

Wayne W. Williams
Colorado Secretary of State
1700 Broadway, Suite 200
Denver, CO 80290
303-894-2200
FAX 303-869-4861
elections@sos.state.co.us

Denise W. Merrill
Office of the Secretary of State
State of Connecticut
30 Trinity Street
Hartford, CT 06106
860-509-6200
FAX 860-509-6209
Denise.merrill@ct.gov

Jeffrey W. Bullock
Secretary of State, Delaware
401 Federal Street
Dover, DE 19901
302-739-4111
Jeffrey.bullock@state.de.us

Michael Bennett
Chair, District of Columbia Board of Elections
Government of the District of Columbia
One Judiciary Square
441 4th Street NW
Suite 250 North
Washington DC 20001
202-727-2525
FAX 202-347-2648
director@dcboee.org

Ken Detzner
Secretary of State, Florida
R.A. Gray Building
500 South Bronough Street
Tallahassee, FL 32399
850-245-6524
FAX 850-245-6125
SecretaryofState@DOS.MyFlorida.com

Brian P. Kemp
Secretary of State, Georgia
214 State Capitol
Atlanta, GA 30334
844-753-7825
FAX 404-656-0513
soscontact@sos.ga.gov
Scott T. Nago, Chief Election Officer
Office of Elections, Hawaii
802 Lehua Avenue
Pearl City, Hawaii 96782
808-453-8683
elections@hawaii.gov

Lawrence Denney
Secretary of State, Idaho
700 West Jefferson Street
Room E205
Boise, ID 83720
208-334-2300
FAX 208-334-2282
elections@sosidaho.gov

Jesse White
Secretary of State, Illinois
213 State Capitol
Springfield, IL 62756
217-785-3000

Connie Lawson
Secretary of State, Indiana
200 W. Washington Street
Room 201
Indianapolis, IN 46204
317-232-6531
FAX 317-233-3283

Paul D. Pate
Secretary of State, Iowa
First Floor, Lucas Building
321 E. 12th Street
Des Moines, IA 50319
515-281-5204
sos@sos.iowa.gov

Kris W. Kobach
Secretary of State, Kansas
Memorial Hall, 1st Floor
120 SW 10th Avenue
Topeka, KS 66612-1594
785-296-4564
sos@sos.ks.gov

Alison Lundergan Grimes
Secretary of State, Kentucky
700 Capitol Avenue, Suite 152
Frankfort, KY 40601
502-564-3490
FAX 502-564-5687
www.sos.ky.gov/pages/contact.aspx

Tom Schedler
Secretary of State, Louisiana
8585 Archives Avenue
Baton Rouge, Louisiana 70809
225-922-2880
<http://www.sos.la.gov/Pages/ContactUs.aspx?recipient=Website%20Administrator>

Matthew Dunlap
Secretary of State, Maine
148 State House Station
Augusta, Maine 04333-0148
207-626-8400
FAX 207-287-8598
Sos.office@maine.gov

John C. Wobensmith
Secretary of State, Maryland
16 Francis Street #1
Annapolis, Maryland 21401
410-974-5521
dlmd_sos@Maryland.gov

William Francis Galvin
Secretary of the Commonwealth of Massachusetts
McCormack Building
One Ashburton Place
Boston, MA 02108
1-800-392-6090
cis@sec.state.ma.us

Ruth Johnson
Secretary of State, Michigan
Richard H. Austin Building, 4th Floor
430 West Allegan Street
Lansing, MI 48918
517-373-2512
FAX 517-373-0727
<http://www.michigan.gov/sos/0,3269,7-127--25634--,00.html>

Steve Simon
Secretary of State, Minnesota
180 State Office Building
100 Rev. Dr. Martin Luther King Jr., Blvd.
St. Paul, Minnesota 550155
651-215-1440
secretary.state@state.mn.us

Delbert Hoseman
Secretary of State, Mississippi
401 Mississippi Street
Jackson, MS 39201
601-359-9372
FAX 601-576-2545
<http://www.sos.ms.gov/Pages/MailForm.aspx?m=5FF723C2-77FD-45BC-B94E-D8734E0A26C2>

Jason Kander
Secretary of State, Missouri
Office of the Secretary of State
State Capitol, Room 208
Jefferson City, MO 65101
info@sos.mo.gov

Linda McCulloch
Secretary of State, Montana
State Capitol Boulevard
1301 E. 6th Avenue
Helena, MT 59601
406-444-4195
FAX 406-444-3976
secretary@mt.gov

John A. Gale
Secretary of State, Nebraska
State Capitol
1445 K Street
Lincoln, NE 68508
402-471-1572

Barbara K. Cegavske
Secretary of State, Nevada
Nevada State Capitol Building
101 North Carson Street, Suite 3
Carson City, NV 89701
775-684-5708
FAX 775-684-5725
sosmail@sos.nv.gov

William M. Gardner
Secretary of State, New Hampshire
Secretary of State's Office, Elections Division
State House, Room 204
107 North Main Street
Concord, NH 03301
603-271-3242
FAX 603-271-6312
elections@sos.state.nh.us

Kim Guadagno, Lieutenant Governor
Department of State, New Jersey
PO Box 300
Trenton, NJ 08625
609-292-6000
feedback@sos.nj.gov

Brad Winter
Secretary of State, New Mexico
New Mexico Capitol Annex North
325 Don Gaspar, Suite 300
Santa Fe, NM 87501
505-827-3600
FAX 505 827-8403
Brad.winter@state.nm.us

Rossana Rosado
Secretary of State, New York
One Commerce Plaza
99 Washington Avenue
Albany, NY 12231-0001
518-474-6220
info@eletions.ny.gov

Elaine F. Marshall
Department of the Secretary of State, North Carolina
2 South Salisbury Street
Raleigh, NC 27601-2903
919-807-2225
FAX 919-807-2039
emarshall@sosnc.gov

Al Jaeger
Secretary of State, North Dakota
600 E. Boulevard Avenue Dept. 108
Bismarck, ND 58505-0500
701-328-2900
FAX 701-328-2992
Sos@nd.gov

Jon Husted
Secretary of State, Ohio
180 East Broad Street, 16th Floor
Columbus, OH 43215
614-466-2655
<http://www.sos.state.oh.us/SOS/agency/contactall/ContactUsAgency.aspx>

Mike Hunter
Secretary of State, Oklahoma
2300 N. Lincoln Blvd. Suite 101
Oklahoma City, OK 73105-4897
405-521-3912
executivelegislative@sos.ok.gov

Jeanne P. Atkins
Oregon Secretary of State
900 Court Street NE
Capitol Room 136
Salem, OR 97310-0722
503-986-1523
Oregon.sos@state.or.us

Pedro A. Cortés
Secretary of the Commonwealth of Pennsylvania
302 North Office Building
Harrisburg, PA 17120
717-787-6458
717-787-1734

Nellie M. Gorbea
Secretary of State, Rhode Island
82 Smith Street
State House, Room 218
Providence, RI 02903-1120
401-222-2357
mgorbea@sos.ri.gov

Mark Hammond
Secretary of State, South Carolina
Edgar Brown Building
1205 Pendleton Street, Suite 525
Columbia, South Carolina 29201
803-734-0246
<http://www.sos.sc.gov/index.asp?n=39&p=0&s=39>

Shantel Krebs
Secretary of State, South Dakota
Capitol Building
500 East Capitol Avenue, Suite 204
Pierre, SD 57501-5070
605-773-3537
sdsos@state.sd.us

Tre Hargett
Secretary of State, Tennessee
State Capitol
Nashville, TN 37243-1102
615-741-2819

Carlos Cascos
Secretary of State, Texas
Capitol Building
1100 Congress, Room 1E.8
Austin, TX 78701
512-463-5770
secretary@sos.texas.gov

Spencer J. Cox
Lieutenant Governor, Utah
Utah State Capitol Complex, Suite 220
PO Box 142325
Salt Lake City, Utah 84114-2325
800-995-VOTE
FAX 801-538-1133
<http://www.utah.gov/ltgovernor/contact/>

Jim Condos
Secretary of State, Vermont
Office of the Secretary of State, Elections Division
128 State Street
Montpelier, VT 05633-1101
800-439-8683
Sos.elections@sec.state.vt.us

Kelly Thomasson
Secretary of the Commonwealth of Virginia
1111 East Broad Street, 4th Floor
Richmond, VA 23219
804-786-2441
FAX 804-371-0017
Kelly.Thomasson@governor.virginia.gov

Kim Wyman
Secretary of State, Washington
416 Sid Snyder Avenue S.W.
Olympia, WA 98504
360-902-4151
kim.wyman@sos.wa.gov

Natalie E. Tennant
Secretary of State, West Virginia
Building 1, Suite 157-K
1900 Kanawha Blvd. East
Charleston, WV 25305-0770
304-558-6000
ntennant@wvsos.com

Doug LaFollette
Secretary of State, Wisconsin
B41 W State Capitol
Madison, WI 53703
608-266-8888
608-266-3159
statesec@wisconsin.gov

Edward Murray, III
Secretary of State, Wyoming
2020 Carey Avenue, Suites 600 and 700
Cheyenne, WY 82002-0020
307-777-7378
secofstate@wyo.gov

Oliver Potts
800 North Capitol Street NW
Suite 700
Washington DC 20001
202-741-6000
FAX 202-741-6012
info@nara.gov

David Ferreiro
National Archives
8601 Adelphi Road
College Park, MD 20760-6001
1-866-272-6272
www.archives.gov/contact

Defendant No. 3

Name _____

Job or Title *(if known)* _____

Address _____

City

State

Zip Code

County _____

Telephone Number _____

E-Mail Address *(if known)* _____☐ Individual capacity ☐ Official capacity

Defendant No. 4

Name _____

Job or Title *(if known)* _____

Address _____

City

State

Zip Code

County _____

Telephone Number _____

E-Mail Address *(if known)* _____☐ Individual capacity ☐ Official capacity**II. Basis for Jurisdiction**

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against *(check all that apply)*:☒ Federal officials (a *Bivens* claim)☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

Plaintiff brings this action under 42 U.S.C. § 1983 because Defendants' actions, separately and in combination through the Electoral College process, place imminent risk of violation of personal rights of 14th Amendment Equal Protection as a class of one, rights under the Privileges and Immunities clause of the 14th Amendment, Due Process rights under the 5th Amendment, and personal rights under the Civil Rights Act, Title II, Section 201(a). Defendants include Secretaries of State and other state election officials throughout the 50 states.

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

- a1) Plaintiff's Equal Protection rights are at risk of violation as a result of Defendants' imminent plans for actions in the 2016 Presidential election;
- 2) After the meeting of the Electors in the several states which is scheduled to occur on or about December 19, 2016, Plaintiff's individual vote will have been abridged to the extent that it is discarded from the federal election process, thus violating her right to vote under the Civil Rights Act, and rights of Equal Protection under the 14th Amendment, rights of Due Process under the 5th Amendment, and rights under the Privileges and Immunities Clause of the 14th Amendment;
- 3) The Electoral College process is a federal process, with oversight by the National Archivist and representatives of the Office of the Federal Register. This is a *Bivens* claim because it deals with federal officials.

D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Under color of law, acting under local election laws in the fifty states, and acting under the 12th Amendment of the US Constitution, the Defendant Secretaries of State and other state election officials will certify the Electoral College vote on December 19, 2016. Electors' votes are decided by a process of local voting rules, local voting districts, partisan rules, and a series of mathematical formulas that have widely disparate connections to the official census. As a class of one, Plaintiff's rights will receive treatment that differs from the treatment of other similarly situated voters when the state Electoral votes are certified and presented to federal officials.

Plaintiff is a registered voter in the State of New York. Acting under color of law, the Electoral College will negate the value of that vote, and abridge the vote, rather than aggregating it with other voters from other states. On or about December 19, 2016, and continuing until on or about December 28, 2016, the Secretaries of States from each of the 50 states, acting under color of state and federal law, will forward their Electoral College votes to the National Archivist and the Office of Federal Register. Defendants' actions, separately and in combination with the process of the Electoral College, pose imminent threat of violation to Plaintiff's equal protection rights under the 5th Amendment, the 14th Amendment, and the Civil Rights Act.

III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

- 1) The events giving rise to the violation of Plaintiff's Equal Protection, Due Process, and Civil Rights began in a voting booth at PS3, located at 490 Hudson Street, New York, New York 10014.
- 2) The violation of Plaintiff's Equal Protection rights, Due Process, and Civil Rights is expected to continue on or about December 19, 2016, when the Electors will meet in their respective states and certify their votes with the respective Secretaries of State, or other election officials, named as Defendants in this cause. In the Electoral College process, Plaintiff's vote will receive disparate treatment compared to other similarly situated voters from other states.
- 3) The violation of Plaintiff's Equal Protection, Due Process, and Civil Rights is expected to continue on or about December 28, 2016, when the votes of the Electors are to have been received by the Defendant, David Ferreiro, National Archivist, in Washington DC or at the mailing address of the National Archives, in College Park, Maryland. Plaintiff's vote will be abridged in this process, and in effect will have been erased from the 2016 Presidential Election, violating Plaintiff's rights under the Privileges and Immunities Clause and under the Civil Rights Act. Defendant Director Oliver Potts will coordinate with David Ferreiro in accepting and keeping safe the certified Electoral College votes, and is therefore named in this suit for his role in the Electoral College process.

B. What date and approximate time did the events giving rise to your claim(s) occur?

- 1) The events giving rise to the violation of Plaintiff's constitutionally-guaranteed rights of Equal Protection, Due Process, and Civil Rights began on November 8, 2016, at approximately 7:30 am, in the context of the United States Presidential Election.
- 2) The meeting of the Electors in the several states expected to occur on or about December 19, 2016 poses an imminent threat to Plaintiff's Equal Protection rights as a class of one, in comparison to other similarly situated voters in other states.
- 3) The delivery of the Electors' votes to the National Archivist expected to occur on or about December 28, 2016, poses an imminent threat to Plaintiff's Equal Protection rights as a class of one, in comparison to other similarly situated voters in other states. Other voters from other states will have a greater proportion of representation in the federal process of choosing the President and Vice President, thus violating Plaintiff's rights under the Privileges and Immunities Clause of the 14th Amendment.
- 4) The meeting of the Archivist and/or representatives from the Office of the Federal Register that is expected to occur on or about January 3, 2017 poses an imminent threat to Plaintiff's Equal Protection rights. By that point in the Electoral College process, Plaintiff's vote will have been abridged and effectively erased from the Federal Election process, also violating her Civil Rights.

C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

- 1) Plaintiff voted in the United States Presidential Election at her regular polling place, located at PS 3, at 490 Hudson Street; New York, NY 10014.
 - 2) By November 9, 2016, news media informed the public that the Electoral College vote was expected to negate and abridge Plaintiff's vote when the Electors will meet on or about December 19, 2016.
 - 3) The actions of the Defendants, separately and in combination through the process of the Electoral College pose imminent threat of violation of Plaintiff's rights under the Equal Protection Clause, the Privileges and Immunities Clause, the 5th Amendment right of Due Process, and the Civil Rights Act. Plaintiff's vote will be, for all intents and purposes, abridged and eliminated by the expected vote of the Electoral College which will take place on or about December 19, 2016.
 - 4) A comparison of the impact of a single voter from other states reveals that, as a class of one, Plaintiff's equal protection rights are not the same as other similarly situated voters across the 50 states.
 - 5) Defendants' actions, separately and in combination through the process of the Electoral College, place imminent risk of violation of Plaintiff's rights under the Privileges and Immunities Clause, in the disparate weight of her vote compared to the weight of a vote cast by someone from another state.
-

IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

For a complete explanation of injuries, kindly read the Memorandum of Points and Authorities in Support of the Plaintiff's Motion for a Temporary Restraining Order.

COUNT I

VIOLATION OF EQUAL PROTECTION RIGHTS UNDER THE 14th AMENDMENT

As a registered voter in the State of New York, the Defendants' actions, separately and combined, deprive Plaintiff of "equal protection under the laws," in that, as a class of one, the value of Plaintiff's vote is held in different ratio to the Electors' votes than the votes of similarly situated voters in other states.

COUNT II

VIOLATION OF THE PRIVILEGES AND IMMUNITIES CLAUSE OF THE 14th AMENDMENT

The Defendants, acting through the process of the Electoral College vote, violate Plaintiff's rights under the Privileges and Immunities Clause of the 14th Amendment by abridging Plaintiff's vote, rather than aggregating it with other similarly cast votes. In this case, the aggregation of votes from the 50 states is expected to be out of agreement with the total of the votes of the states' electors, causing Plaintiff's vote to lose the privilege of recognition in states whose Electors are choosing to vote for a different candidate. When the Electors meet in their respective states and have their votes certified by the Defendant Secretaries of State in the 50 states, the result will be a violation of my rights under the 14th Amendment Privileges and Immunities Clause. By failing to aggregate the popular votes from each of the 50 states, the mechanisms of Defendants as they act separately and in combination through the process of the Electoral College denigrate the concept of federalism among the 50 states, creating differing levels of privileges and immunities according to where each voter lives. As a class of one, and as a voter from New York, my vote is not of value in any other state besides New York.

Just as a single dollar bill should be valued and respected from state-to-state, a single vote should be valued and respected from state-to-state. The Defendants, acting separately and in combination through the Electoral College, deprive me, as a voter, of privileges and immunities across state lines.

COUNT III

VIOLATION OF RIGHTS UNDER THE DUE PROCESS CLAUSE

Because this matter is a claim for Equal Protection rights on a matter involving federal action, the Defendants' actions, separately and in combination through the process of the Electoral College, violate Plaintiff's Due Process rights under the 5th Amendment.

COUNT IV

VIOLATION OF CIVIL RIGHTS ACT OF 1964, TITLE II, SECTION 201(a)

Voting is a public act, and voting booths are public places. Defendants, acting separately and in combination through the Electoral College process, abridge Plaintiff's vote according to place of residence, thus depriving Plaintiff of rights under the Civil Rights Act of 1964, Title II, Section 201(a).

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

For a complete explanation of the basis of these claims, kindly read the Memorandum of Points and Authorities in Support of Plaintiff's Motion for a Temporary Restraining Order.

Plaintiff Paula Collins seeks Declaratory and Injunctive Relief, in the form of restraining Defendants, Secretaries of States and other state election officials, as they act through the Electoral College process on or before December 19, 2016, from certifying the vote of the respective Electors in any way that is inconsistent with the results of the nationwide popular vote as it was decided in the United States Presidential Election of 2016, held on or about November 8, 2016; and an order to require that the Defendants, Secretaries of States and other state election officials, acting separately and together, and in combination with the Defendant National Archivist, David Ferreiro and the Defendant Director of the Office of the Federal Register, Oliver Potts, to certify and present to Congress the results of the popular vote as it was decided in the United States Presidential Election of 2016, held on or about November 8, 2016.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: Dec. 5, 2016

Signature of Plaintiff Paula Collins
 Printed Name of Plaintiff PAULA COLLINS

B. For Attorneys

Date of signing: _____

Signature of Attorney _____
 Printed Name of Attorney _____
 Bar Number _____

Pro Se 15 (Rev. 09/16) Complaint for Violation of Civil Rights (Non-Prisoner)

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address